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 NEW YORK TIMES COMPANY LONG TERM  
 DISABILITY PLAN, NEW YORK TIMES  
 COMPANY FLEXIBLE BENEFITS PROGRAM,  
 NEW YORK TIMES COMPANY SUPPLEMENTAL  
 RETIREMENT AND INVESTMENT PLAN and  
 NEW YORK TIMES COMPANY PENSION PLAN

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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

SIENNA HORNBACK,

Plaintiff,

v.

NEW YORK TIMES COMPANY LONG  
 TERM DISABILITY PLAN;  
 METROPOLITAN LIFE INSURANCE  
 COMPANY; NEW YORK TIMES COMPANY  
 FLEXIBLE BENEFITS PROGRAM; NEW  
 YORK TIMES COMPANY  
 SUPPLEMENTAL RETIREMENT AND  
 INVESTMENT PLAN; NEW YORK TIMES  
 COMPANY PENSION PLAN,

Defendants.

**FILED**

JUL 29 2005

RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND

Case No. C 05-00508 SBA

**PROPOSED ORDER GRANTING  
 DEFENDANT THE NEW YORK  
 TIMES COMPANY LONG TERM  
 DISABILITY PLAN'S REQUEST TO  
 PARTICIPATE IN MEDIATION BY  
 TELEPHONE**

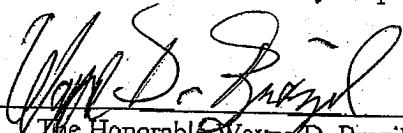
Complaint Filed: 2/3/05

cc: APP, neutral, stats, SBA, WDB,  
 requesting party with direction to  
 serve all parties.

1 On July 26, 2005, defendant The New York Times Company Long Term Disability Plan  
2 ("Defendant") submitted a request that it be allowed to participate in the mediation scheduled for  
3 August 8, 2005 by telephone. Since Defendant has shown that its personal attendance poses an  
4 unjustifiable hardship, Defendant's request to participate in the mediation by telephone is hereby  
5 GRANTED.

6 Dated: 7/29, 2005

By

  
The Honorable Wayne D. Brazil  
United States Magistrate Judge